

REMARKS

This paper is responsive in any other manner indicated below.

PENDING CLAIMS

Claims 1, 2 and 5-24 were pending, under consideration and subjected to examination in the Office Action. Appropriate claims have been amended, canceled and/or added (without prejudice or disclaimer) in order to adjust a clarity and/or focus of Applicant's claimed invention. That is, such changes are unrelated to any prior art or scope adjustment and are simply refocused claims in which Applicant is present interested. At entry of this paper, Claims 1, 2 and 5-24 will be pending for further consideration and examination in the application.

'101 REJECTION - ALLEGED "NON-STATUTORY SUBJECT MATTER"

Claims 5, 6, 9, 12, 16, 17, 20 and 23 have been rejected under 35 USC 101, based upon an allegation that Applicant's recited claim(s) is directed to non-statutory subject matter. Traversal is appropriate. However, Applicant respectfully submits that present amendments to ones of the rejected claims even further define the rejected claims within proper 101 subject matter, and have obviated the rejection. Based upon the foregoing, reconsideration and withdrawal of the '101 rejection are respectfully requested.

In the event that the Examiner determines that any of the present claims do not satisfy the statutory subject matter requirement under '101 and are still directed to non-statutory subject matter, Applicant and the Undersigned ask the Examiner to telephone the Undersigned at the local Washington, D.C. area telephone number of 703-312-6600, or to draft any Office Action rejection, with recommended amendments which would obviate the '101-rejection. The Examiner is thanked in advance for such helpful considerations.

REJECTION UNDER 35 USC '103

The 35 USC '103 rejection of claims 1, 2 and 5-24 as being unpatentable over Matsumoto et al. (U.S. Patent 5,796,428) in view of Kobayashi (U.S. Patent 6,108,728) is respectfully traversed. However, such rejections have been rendered obsolete by the present clarifying amendments to Applicant's claims, and accordingly, traversal arguments are not appropriate at this time. However, Applicant respectfully submits the following to preclude renewal of any such rejections against Applicant's clarified claims.

All descriptions of Applicant's invention, and all descriptions and rebuttal arguments regarding the applied prior art, as previously submitted by Applicant in any form, are repeated and incorporated hereat by reference. Further, all Office Action statements regarding the prior art rejections are respectfully traversed. As additional arguments, Applicant respectfully submits the following.

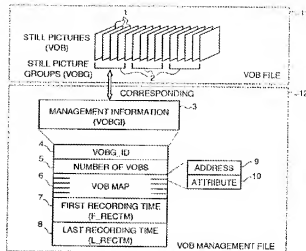
Applicant's disclosed and claimed invention is directed to an improved arrangement which can be used to manage a large number of separately-stored still image files (or documents) arranged into a group (i.e., collection), while at the same

time, allowing fast searches with respect to the group, and only requiring a small amount of memory resources to store group management information. More particularly, in the art, when a digital camera takes still pictures, individual still pictures are stored within separate computer files. Applicant's invention may be used to divide a plurality of separately-stored still image files into different groups, e.g., by forming a new group for every 64 still pictures. If a search for a picture based upon a picture's origination (i.e., production) time is performed with respect to the group, and if the search was required to compare against a start-time and/or end-time for each picture, searching may be onerous, i.e., take a long processing time to perform the comparison with each picture's data, and a large memory would be required to store the start-time and/or end-time for each picture.

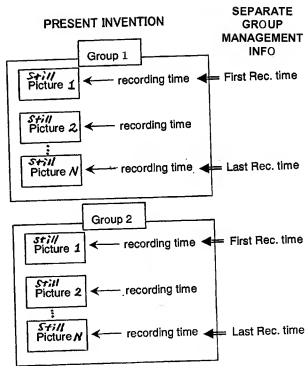
In order to allow quicker searching with respect to a group, and in order to afford the opportunity to reduce an amount of memory required for management information, Applicant's disclosed and claimed invention includes an arrangement where "said time information of said still picture group management information includes ONLY a first recording time at which the still picture data of an earliest-photographed still picture in said still picture group was recorded first by a picture-taking device, and a last recording time at which the still picture data of a latest-photographed still picture in said still picture group was recorded last by the picture-taking device". Such "still picture group management information" is "provided SEPARATELY FROM any still picture management information containing management information for each still

FIG. 1

picture". That is, if still picture management information containing management information is provided (see **VOB map 6** in Applicant's **FIG. 1**, reproduced herewith for convenience), Applicant's "still picture group management information" **7, 8** is provided **SEPARATE FROM** the still picture management information.



If two groups of still pictures were to be formed, a representation of such groups via Applicant's invention might be shown by the following sketch. Again, Applicant's invention can reduce an amount of memory required for group management information if the "first recording time at which the still picture data of an earliest-photographed still picture in said still picture group was recorded first by a picture-taking device, and a last recording time at which the still picture



data of a latest- photographed still picture in said still picture group was recorded last by the picture-taking device" is included, but the recording time for each individual picture is excluded. That is, Applicant's invention goes **against the trend in the art to reduce memory, size, expense, etc.**, and instead, Applicant requires additional memory for Applicant's taught benefit of faster searching.

In terms of distinguishing features/limitations, Applicant's independent claim 1 (taken as an example), recites: "A method for recording still picture data of N still pictures stored in separate N files, respectively, and for recording still picture group management information for managing N still picture data of said N still pictures as a still picture group, onto a storage medium, where N is an integer number equal to or larger than one, wherein said still picture group management information includes time information and is provided separately from any still picture management information containing management information for each still picture, and said time information of said still picture group management information includes only a first recording time at which the still picture data of an earliest-photographed still picture in said still picture group was recorded first by a picture-taking device, and a last recording time at which the still picture data of a latest-photographed still picture in said still picture group was recorded last by the picture-taking device, said method comprising: comparing a recording time of said still picture data of a still picture, with said first recording time stored in said still picture group management information corresponding to the still picture group belonging to said still picture data; and if said recording time is earlier than said first recording time, replacing the content of said first recording time by said recording time and performing recording thereof." Applicant's other prior independent claims have similar or analogous features/limitations. Similar discussions may be made of Applicant's "consists of" claims 14-24.

Turning now to rebuttal of the Matsumoto et al. reference, it is respectfully submitted that Matsumoto et al. does disclose arrangements for grouping image data into "album groups", "page lists", "picture lists", etc. However, Office Action comments ADMIT that Matsumoto is deficient in that it "fails to disclose the still picture group management information only storing the earliest and last recording times and updating either one of those if it needs [to be] updated." [Sentence clarification added.] Applicant respectfully agrees with such admission. More particularly, nowhere does Matsumoto et al.'s "album groups", "page lists" or "picture lists" include Applicant's claimed limitations, "wherein said still picture group management information includes time information and is provided SEPARATELY FROM any still picture management information containing management information for each still picture, and said time information of said still picture group management information includes ONLY a first recording time at which the still picture data of an earliest-photographed still picture in said still picture group was recorded first by a picture-taking device, and a last recording time at which the still picture data of a latest-photographed still picture in said still picture group was recorded last by the picture-taking device". In fact, Matsumoto's "album groups", "page lists" and "picture lists" appear NOT to contain any type of group management info provided separate from picture management info and having only a recording start/time time which are attributed to first/last pictures.

In an attempt to cure the major deficiency of Matsumoto, the Office Action rejection further cites Kobayashi. In traversal, it is respectfully submitted that the Kobayashi reference is IRRELEVANT to the present application because Kobayashi is directed to VIDEO program environment (as opposed to still picture environment). That is, one skilled in the still picture art to which the present invention is directed, would have considered Kobayashi to be not particularly relevant to the present invention. While Office Action comments allege that Kobayashi (e.g., FIG. 4; col. 8, lines 50-68) discloses a video data table 48 storing a "recording start time 66" and a "recording end time 68", it is respectfully noted that each video program is stored within a single computer file designated by a recording start time and recording end time, and there are no other intermediate recording start time and recording end times. That is, unlike still pictures which each have their own recording times, each Kobayashi video program is a single file entity having one recording start time and one recording end time. Hence, Kobayashi's video program is not a group of still picture images stored in separate computer files. That is, Kobayashi et al. made no effort to group any still pictures to compile a group of still pictures as a video program, but instead, is the simple recording of video programs. Instead, Kobayashi et al.'s FIG. 4 contains a group of video programs.

As such, it is respectfully noted that Kobayashi's FIG. 4, does not illustrate a SINGLE recording start time and recording end time, but instead, appears to illustrate five (5) different video programs (i.e., five computer file entities), each with its own recording start time and recording end time. In order for Kobayashi

to be like Applicant's present invention, FIG. 4 would have to illustrate only a single recording start time and single recording end time for the group of five (5) different video programs.

Basically, the primary Matsumoto et al. reference teaches keeping a recording time for each computer file entity (i.e., still picture in Matsumoto et al.'s context), and Kobayashi similarly teaches keeping a recording start time and a recording end time for each computer file entity (i.e., video program in Kobayashi's context).

It is respectfully submitted that one skilled in the art in reviewing Matsumoto et al.'s and Kobayashi's disclosures, would only have found suggestion to keep time(s) for each computer file entity, and would not have suddenly found suggestion to suddenly keep an additional set of times pertaining to a first recording time of a first still picture and a last recording time of a last picture. That is, since Matsumoto et al. already stores the list of still pictures belonging to the same group in chronological order", then it is respectfully submitted that if there is any suggestion, then it would be simply use the first and last chronological entries as they are presently stored in a listing of plural still pictures, rather than further complicating the arrangement, size, expense with a further separately-stored memory data containing only the first and last recording times.

In short, it appears that this most recent rejection is based upon an improper hindsight reconstruction approach where a single "video program" part of an irrelevant video program reference is attempted to be interpreted as a "still picture group having a start time and end time", and applied to a differing still picture art reference, attempting to arrive at Applicant's claimed invention.

In addition to the foregoing, the following additional remarks from Applicant's foreign representative are also submitted in support of traversal of the rejection and patentability of Applicant's claims.

Newly cited reference Kobayashi does not concern a still picture, but only concerns a video data, i.e. a moving picture of a video camera. Kobayashi does not disclose how to manage the still pictures as a group, and does not disclose a method for recording still picture data and still picture group management information. Fig. 4 of Kobayashi shows recording start times and recording end times of the video data. The first recording time and the last recording time of still picture data of a still picture group are not shown in Fig. 4 of Kobayashi. Kobayashi is silent on the first and last recording time of still picture data as the still picture group management information. Accordingly, even if the data table for video data shown in Fig. 4 of Kobayashi is applied to the attribute data of still pictures shown in Matsumoto et al, the present invention as claimed cannot be obtained.

As a result of all of the foregoing, it is respectfully submitted that the applied art (taken alone and in the Office Action combinations) would not support a '103 obviousness-type rejection of Applicant's claims. Accordingly, reconsideration and withdrawal of such '103 rejection, and express written allowance of all of the '103 rejected claims, are respectfully requested.

EXAMINER INVITED TO TELEPHONE

The Examiner is herein invited to telephone the undersigned attorneys at the local Washington, D.C. area telephone number of 703/312-6600 for discussing any

Examiner's Amendments or other suggested actions for accelerating prosecution and moving the present application to allowance.

RESERVATION OF RIGHTS

It is respectfully submitted that any and all claim amendments and/or cancellations submitted within this paper and throughout prosecution of the present application are without prejudice or disclaimer. That is, any above statements, or any present amendment or cancellation of claims (all made without prejudice or disclaimer), should not be taken as an indication or admission that any objection/rejection was valid, or as a disclaimer of any scope or subject matter. Applicant respectfully reserves all rights to file subsequent related application(s) (including reissue applications) directed to any/all previously claimed limitations/features which have been subsequently amended or cancelled, or to any/all limitations/features not yet claimed, i.e., Applicant continues (indefinitely) to maintain no intention or desire to dedicate or surrender any limitations/features of subject matter of the present application to the public.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully submits that the claims listed above as presently being under consideration in the application are now in condition for allowance.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR '1.136. Authorization is herein given to charge any shortage in the fees, including extension of time fees and excess claim fees, to Deposit Account No. 01-

2135 (Case No. 500.37453CX3) and please credit any excess fees to such deposit account.

Based upon all of the foregoing, allowance of all presently-pending claims is respectfully requested.

Respectfully submitted,

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